IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Criminal Writ Petition No.972 of 2004 (M/B)

Mahadev Prasad Dohare,
S/o Sri Ghaseta,
R/o Government High School,
Madlak, Post Office Madlak,
District Champawat. ……. Petitioner

Versus

State of Uttaranchal through Secretary,
Home & others. …… Respondents

Mr. M.C. Pande, learned counsel for the petitioner.
Mr. D.K. Sharma, learned Government Advocate for the State.

Hon. V.S. Sirpurkar, C.J.
Hon. Irshad Hussain, J.

1. Heard Mr.M.C. Pande, learned counsel for the petitioner and Mr. D.K. Sharma, learned Government Advocate, who accepted the notice on behalf of respondents.

2. This is a writ petition for quashing the First Information Report dated 28.8.2004. It seems that the petitioner has also been implicated as an accused. At least, the First Information Report does not show any allegations against the petitioner.

3. In that a view, the public prosecutor, himself, says that there will be no necessity of arresting the petitioner. However, if the petitioner is required to be arrested, then, 8 days' notice shall be given to the petitioner.

4. With these observations, the writ petition is disposed of.

(Irshad Hussain, J.) **(V.S. Sirpurkar, C.J.)**
01.10.2004 **01.10.2004**

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